

SENATE JOURNAL

SIXTY-THIRD LEGISLATURE - FIRST CALLED SESSION

AUSTIN, TEXAS, TUESDAY DECEMBER 18, 1973

PROCEEDINGS

FIRST DAY

(Tuesday, December 18, 1973)

In obedience to the proclamation of The Honorable Dolph Briscoe, Governor of the State of Texas, the Senate met in the Senate Chamber at the City of Austin, on the eighteenth day of December, 1973, at 12:00 o'clock m., and was called to order by the President.

QUORUM PRESENT

The President directed the Secretary to call the roll of the Senate.

The roll was called and the following Senators were present: Adams, Aikin, Andujar, Blanchard, Braecklein, Clower, Creighton, Doggett, Gammage, Harrington, Harris, Hightower, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Schwartz, Sherman, Snelson, Traeger, Wallace and Wolff.

The following Senators were absent-excused: Brooks and Santiesteban.

The President announced a quorum of the Senate present.

The Reverend William A. Holmes, University United Methodist Church, Austin, offered the invocation as follows:

Our Father, as the Texas Senate convenes this day in special session, may its action be both specific and symbolic. Specific in the sense of examining, debating, and enacting legislation related to speed limits on Texas highways. But symbolic in the sense of knowing that a reduction in highway speeds is but the tip of the iceberg, and that our state will soon be called upon to face a number of further issues which pertain to the energy crisis, and to other human crises just as urgent and complex. Enable this body to do the work that has been set before it, here and now. But in the process, may the deliberations of this special session be but the prelude of the Senate's intention to move, when possible, toward a magnitude of additional issues which wait to shape the common good.

Grant us now your mercy, and place within this Advent season the impending birth and incarnation of liberty, equality, and justice. Amen.

LEAVES OF ABSENCE

Senator Santiesteban was granted leave of absence for today on account of important business on motion of Senator Aikin.

Senator Brooks was granted leave of absence for today on account of important business on motion of Senator Aikin.

**PROCLAMATION FROM GOVERNOR
CALLING SPECIAL SESSION**

The President laid out the following Proclamation from the Governor:

**PROCLAMATION
by the
Governor of the State of Texas**

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Under the provisions of Article III, Section 5, and Article IV, Section 8, of the Constitution of Texas, I, Dolph Briscoe, Governor of the State of Texas, do hereby call a special session of the 63rd Legislature to be convened in the City of Austin, commencing at 12:00 noon, Tuesday, the 18th day of December, 1973 for the following purposes:

1. To enact legislation to authorize setting speed laws on all of the highways of the State of Texas at a rate consistent with National and State interests related to energy conservation.

2. To consider and act on such other subjects and questions as the Governor may submit from time to time.

The Secretary of State will take notice of this action and will notify the members of the legislature.

IN TESTIMONY WHEREOF, I have hereunto signed my name officially and caused the Seal of State to be affixed hereto at Austin, this the 14th day of December, 1973.

DOLPH BRISCOE
Governor of Texas

Attest:
MARK W. WHITE, JR.
Secretary of State

The Proclamation was read and filed with the Secretary of the Senate.

MOTION IN WRITING

Senator Aikin submitted the following Motion in Writing:

Mr. President, I move that the President be authorized to appoint a committee of five (5) members to notify the Governor that the Senate is organized and ready for business.

AIKIN

The motion was read and was adopted.

The President announced the appointment of the following as a committee to notify the Governor: Senators Andujar, Blanchard, Clower, Traeger and Wolff.

MOTION IN WRITING

Senator Aikin submitted the following Motion in Writing:

Mr. President, I move that the President be authorized to appoint a committee of five (5) members to notify the House that the Senate is organized and ready for business.

AIKIN

The motion was read and was adopted.

The President announced the appointment of the following as a committee to notify the House: Senators McKnight, Bracklein, Harris, Creighton and Gammage.

SENATE RESOLUTION 1

Senator Aikin offered the following resolution:

Honorable William P. Hobby
Lieutenant Governor
Senate of Texas
Austin, Texas

Sir:

At a caucus held in the office of the Senate attended by 25 members of the Senate, the following recommendations were made, to wit:

The following officers were elected to serve for the 63rd Legislature, First Called Session, at the will of the Senate and at salaries set by the Administration Committee:

Secretary of the Senate, Charles Schnabel
Journal Clerk, Betty King
Sergeant-at-Arms, Tommy Townsend
Doorkeeper, Lowell Gault
Calendar Clerk, Polly Miller
Enrolling Clerk, Mary Key

All officers and employees appointed by this caucus shall hold their office of employment for the duration of the 63rd Legislature, First Called Session.

It is recommended that the Lieutenant Governor and the Secretary of the Senate each be permitted to name secretarial staff and assistants at salaries designated by the Lieutenant Governor and the Administration Committee respectively. The parliamentarian, June Hyer, named by the Lieutenant Governor, shall receive \$968.00 per month.

It is further recommended that the Administration Committee appoint a sufficient number of custodians, messengers, pages, elevator operators, porters and other employees as may be necessary. The President of the Senate is authorized to designate any member of the Senate or Senate staff to attend official meetings of the Council of State Governments, or other national governmental organization during the 63rd Legislature, First Called Session, while in session. Actual and necessary expenses are hereby authorized as reimbursement for such trips.

It is further recommended that each Senator shall be permitted to employ secretarial and other office staff at a maximum payroll of \$5,000.00 per month under the following classification schedule:

Title	Class No.	Group	Salary and Step Range
Clerk I	0051	02	397(1) - 410(2) - 424(3)
Messenger	0011	02	438(4) - 453(5) - 468(6)
Clerk Typist II	0106	04	453(1) - 468(2) - 484(3)
Stenographer I	0126	04	500(4) - 517(5) - 534(6)
Secretary II	0133	05	552(5) - 571(6) - 590(7)
Secretary III	0135	07	630(5) - 651(6) - 673(7)
Admin. Sec.	0138	09	719(5) - 743(6) - 768(7)
Info. Spec. I	1892	14	906(1) - 936(2) - 968(3)

Admin. Tech. I	1501	08	673(5) - 696(6) - 719(7)
Admin. Tech. II	1502	11	794(4) - 820(5) - 848(6)
Admin. Tech. III	1503	13	906(3) - 936(4) - 968(5)
Admin. Tech. IV	1504	15	1034(3) - 1068(4) - 1104(5)
Info. Spec. II	1893	16	1068(2) - 1104(3) - 1141(4)
Attorney III	3533	17	1104(1) - 1141(2) - 1179(3)

The names of such employees as are not employed directly in a Senator's office shall be referred to an assignment committee hereinafter provided for and such committee shall be authorized to select employees from such list. The appointed officers of the Senate may select, subject to the approval of the Administration Committee, employees to fill such key positions as may be authorized by said committee. All such employees shall be designated in a classified position as determined by the Administration Committee.

It is further recommended that the President of the Senate be authorized to name a committee of seven. Such committee shall be designated as the Assignment Committee for the purpose of assigning employees as herein authorized and the committee shall be authorized to select sufficient additional employees to be assigned by it when and where needed.

It is further recommended that each Senator, as quickly as possible, file with the Secretary of the Senate the names of his office staff; that he also file with the Chairman of the Assignment Committee aforesaid the names of the employees selected, together with his or her post office address.

The Lieutenant Governor, Senators and the Secretary of the Senate are hereby fully authorized and empowered to use any assistant Sergeant-at-Arms and all other necessary employees for any and all services needed in and about the Senate.

It is further recommended that the Lieutenant Governor, each Senator and the Secretary of the Senate, be permitted to subscribe for newspapers as necessary to be paid out of the contingent fund, be allowed the stationery and postage needed by them respectively, and expenses incurred in transmitting and receiving telephone and telegraph messages and express charges as may be actually necessary in the discharge of their official duties, said expenses to be paid out of the contingent fund.

It is further recommended that not to exceed 2,000 Journals be printed, all of which shall be prorated among the Senators and Lieutenant Governor, except that 175 Journals shall be furnished the members of the House.

It is further recommended that the State Library be furnished 75 copies of the daily Journal.

It is further recommended that all salaries and expenses herein authorized to be incurred and paid for shall be paid out of the per diem and contingent expense fund of the 63rd Legislature as follows: The Senate shall request the State Comptroller of Public Accounts to issue general revenue warrants for payment of the employees of the Lieutenant Governor's office, the Lieutenant Governor, members of the Senate, and employees of the Senate Committees upon presentation of a payroll account signed by the President of the Senate and the Secretary of the Senate; for payment of employees of the Senate, except as provided in Section 20 of the Legislative Reorganization Act (Article 5429f, Vernon's Texas Civil Statutes), upon presentation of the payroll account signed by the Chairman of the Administration Committee and the Secretary of the Senate; and for the payment of materials, supplies and expenses of the Senate, including travel expenses for members and employees, upon vouchers signed by the Chairman of the Senate Committee on Administration and the Secretary of the Senate.

It is further recommended that no employee of the Senate shall, during the time he or she is employed, furnish to any person, firm or corporation any information other than general information furnished the public pertaining to the Senate and they shall not without permission receive any compensation from any person, firm or corporation during their employment by the Senate and any employee found guilty of violating this provision shall be immediately discharged.

All employees, except those responsible directly to the Lieutenant Governor, members of the Senate, Secretary of the Senate, committee, or to the head of a department, shall report for duty at eight o'clock a.m., and one o'clock p.m. each

day to the Sergeant-at-Arms of the Senate, except part-time employees, who shall report at the place and time directed by the Sergeant-at-Arms, and none of such employees shall be paid for the days they are absent from the Senate, unless excused by the Sergeant-at-Arms.

It is further recommended that the Chairman of each standing committee shall have authority to employ such additional employees of his own selection as may be needed by said committee, said employees to receive the same compensation paid similar positions as herein fixed, and to discharge the duties of said standing committee, subject to the approval of the Administration Committee.

It is further recommended that the Chairman of the Finance Committee have authority to employ such additional employees of his own selection as may be needed by said committee, said employees to receive the same compensation paid similar positions as herein fixed, who shall discharge the duties of the Finance Committee.

It is further recommended that no employee of the Senate, except those whose official duties require them to work upon the floor of the Senate, shall have access to the floor unless that employee shall have been requested by a Senator, the Lieutenant Governor, or the Secretary of the Senate to come on the floor for some official duty, after the performance of which he shall immediately leave the floor of the Senate. The Sergeant-at-Arms is specifically ordered to see that this provision is carried out.

Only those who have the privileges of the floor during the session of the Senate shall be permitted on the Senate floor for a period of thirty minutes prior to the time the Senate convenes. The Sergeant-at-Arms is instructed to enforce this rule and to permit only those having the privileges of the floor to enter or remain on the Senate floor during such thirty minute period.

Respectfully submitted,

AIKIN
Chairman of the Caucus

SNELSON
Secretary of the Caucus

The resolution was read and was adopted.

RECORD OF VOTE

Senator Patman asked to be recorded as voting "Nay" on the adoption of the resolution.

STANDING COMMITTEES

The President announced that the Standing Committees of the 63rd Legislature would continue for the First Called Session of the 63rd Legislature except that Senator A. R. Schwartz would serve as Chairman of the Jurisprudence Committee and be removed as a Member of the Human Resources Committee and Senator Lloyd Doggett would serve as a Member of the Human Resources Committee.

OFFICERS OF THE SENATE

The President announced that the duly-elected officers of the Senate named in the Caucus Report for the 63rd Legislature would continue in office for the First Called Session of the 63rd Legislature.

COMMUNICATIONS FROM STATE BOARD OF EDUCATION

The following communications from the State Board of Education were read and referred to the Committee indicated.

October 11, 1973

Mr. Charles A. Schnabel
Secretary of the Senate
State of Texas
Capitol Station
Austin, Texas 78711

Dear Mr. Schnabel:

I am submitting to you for confirmation by the Senate the appointment of the following person to The Advisory Council for Technical-Vocational Education in Texas:

Mr. Don Gray
707 Whitehouse Circle
Harlingen, Texas 78550
Term Expires: August 31, 1979

This appointment was made by the State Board of Education at its meeting on October 6, 1973 in response to the recommendation of the Governor.

Mr. Gray will replace Mr. Dewey M. Cox whose term expired on August 31, 1973 in the membership category of "one member familiar with vocational needs and the problems of labor in the State," Section 31.12(b)(2), Texas Education Code.

Very truly yours,

J. W. EDGAR
Commissioner of Education

August 21, 1973

Mr. Charles A. Schnabel
Secretary of the Senate
State of Texas
Capitol Station
Austin, Texas 78711

Dear Mr. Schnabel:

The State Board of Education, on July 14, 1973, acting under authority of Section 3.59(c), Texas Education Code, as amended by House Bill 89, Acts of the Sixty-third Legislature, appointed the following persons to membership on the State Board of Trustees, Teacher Retirement System:

Mr. Morgan Jones, Jr.
1208 North Fifth Street
Abilene, Texas 79601
(Term beginning September 1, 1973
and ending August 31, 1977)
Mr. John E. Mangrum
Director and Senior Vice President
Southland Life Insurance Company
Southland Center
Dallas, Texas 75201
(Term beginning September 1, 1973
and ending August 31, 1979)

These appointments are submitted to you for transmittal to the Senate for confirmation.

Very truly yours,

J. W. EDGAR

TUESDAY, DECEMBER 18, 1973

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Commissioner of Education

December 18, 1973

Mr. Charles A. Schnabel
Secretary of the Senate
State of Texas
Capitol Building
Austin, Texas

Dear Mr. Schnabel:

I am submitting to you for confirmation by the Senate appointments made by the State Board of Education on September 11, 1971 to The Advisory Council for Technical-Vocational Education in Texas. Terms of office of each is designated.

These appointments were made by the Board in compliance with Section 31.12 of the Texas Education Code. All appointments were recommended by Governor Preston Smith.

Very truly yours,

J. W. EDGAR
Commissioner of Education

Reappointments to the Advisory Council for Technical-Vocational Education in Texas:

Member representing local education and school boards:

W. T. Crouch, President
Texas Association of School Boards
Route 1
Itasca, Texas 76055
(Reappointment - Term to expire August 31, 1977)

Member representing a cross section of industrial, business, professional, agricultural, and health service occupations:

Dr. Michael E. DeBakey
Baylor College of Medicine
Houston, Texas 77025
(Reappointment - Term to expire August 31, 1977)

Roff W. Hardy, President
West Texas Utilities Company
P. O. Box 841
Abilene, Texas 79604
(Reappointment - Term to expire August 31, 1977)

William L. Jones, Jr.
2903 Del Robles
Austin, Texas 78759
(Reappointment - Term to expire August 31, 1977)

Member representing the general public:

Ellwood E. Collins
1523 Peach Street
Texarkana, Texas 75501
(Reappointment - Term to expire August 31, 1977)

To Committee on State Affairs, Subcommittee on Nominations.

SENATE CONCURRENT RESOLUTION 1

Senator Aikin offered the following resolution:

S.C.R. 1, Providing for Joint Session of First Called Session of the 63rd Legislature to hear address by The Honorable Dolph Briscoe.

On motion of Senator Aikin and by unanimous consent, the resolution was considered immediately and was adopted.

COMMITTEE APPOINTED

In accordance with the provisions of S.C.R. 1 the President announced the appointment of the following as a Committee to escort Governor Dolph Briscoe to the Joint Session: Senators Doggett, Jones, McKnight, Meier and Snelson.

SENATE RESOLUTION 2

Senator Hightower offered the following resolution:

WHEREAS, It is a privilege for Members of the Senate of Texas to pay tribute to one of our most distinguished colleagues on the occasion of his 35th birthday; and

WHEREAS, From that memorable day, December 18, 1938, when the State house walls shook announcing the arrival and forthcoming appearance of the then young and feisty Don Adams; and

WHEREAS, In 1957 he completed his high school education at Schreiner Institute; and subsequently upon reaching age 18, young Don Adams knew in his heart that he was neither wise nor mature enough to consume of the spirits or partake of the contract; and

WHEREAS, In 1963 he was awarded a law degree from Baylor University Law School, a university with unlimited and unleashed football potential; and

WHEREAS, In 1969, he began his political career by being elected to the Texas House of Representatives, where he served two terms; and

WHEREAS, In 1972, he was elected to the Texas Senate where he now serves; and, he was named the Outstanding Young Man of Jasper, Texas, 1972, by the Jasper Chamber of Commerce; and, he was named one of the five Outstanding Young Texans, 1972, by the Texas Jaycees; and,

WHEREAS, Throughout his successful career, he has had the support and encouragement of his lovely wife, Linda; their marriage has been blessed by three wonderful children, Donny, Debra and Dinah; now, therefore, be it

RESOLVED, That the Senate of the 63rd Legislature, First Called Session of Texas, take this opportunity to wish our esteemed and affable colleague, Senator Don Adams of Jasper, Jasper County, Texas, a very happy birthday today and our desire that the future will hold for him continued good health and happiness.

The resolution was read and was adopted.

SENATE RESOLUTION 3

Senator Hightower offered the following resolution:

WHEREAS, It is a pleasure for Members of the Senate to congratulate Mr. and Mrs. Tommy Townsend on the birth of a handsome new son, Justin Cedric, on Friday, December 7, 1973; and

WHEREAS, The father of this eight pound, thirteen ounce tiger has been a valued and dedicated Senate officer since 1970, as Sergeant-at-Arms; and has provided the Senate competent and indispensable service in those years; and

WHEREAS, The proud grandparents of this fine young son are Judge and Mrs. Cedric Townsend and Mr. and Mrs. Jack Maddox, of Paris, Texas; now,

therefore, be it

RESOLVED, That the Senate of the 63rd Legislature, First Called Session, of Texas hereby appoint young Justin Cedric Townsend Honorary Sergeant-at-Arms for this day, December 18, 1973; and be it further

RESOLVED, That the Senate of the 63rd Legislature, First Called Session, of Texas extend our heartiest congratulations to Tommy and Cassie Townsend; and express our best wishes for good health and happiness to their new son; and be it further

RESOLVED, That copies of this resolution be prepared, under the seal of the Senate of Texas, for this family, the grandparents, and for the newest member of the Townsend family.

The resolution was read and was adopted.

ELECTION OF PRESIDENT PRO TEMPORE FOR FIRST CALLED SESSION OF THE SIXTY-THIRD LEGISLATURE

The President announced the election of a President Pro Tempore as the next order of business.

Senator Hightower nominated Senator Max Sherman of Amarillo as President Pro Tempore for the First Called Session of the Sixty-third Legislature.

Senators Wallace, Schwartz, Snelson and Aikin seconded the nomination of Senator Sherman.

There being no further nominations, the President announced the appointment of the following as Tellers to take up and count the ballots: Senators McKinnon and Snelson.

The ballots were taken up and counted and the President announced that Senator Sherman received 28 votes with 1 present and not voting for President Pro Tempore of the First Called Session of the Sixty-third Legislature.

The President appointed Senators Wallace, Schwartz, Snelson and Aikin to escort Senator and Mrs. Sherman and their children, Holly and Lynn, to the President's Rostrum.

Senator Sherman was administered the Constitutional Oath of Office by the President of the Senate as President Pro Tempore of the First Called Session of the Sixty-third Legislature.

The President then introduced Senator Sherman who presented his wife, Gene Alice, and his children, Lynn and Holly, to the Members.

Senator Sherman then addressed the Senate, expressing his sincere appreciation for the honor bestowed upon him.

HOUSE NOTIFIED

The Committee to notify the House that the Senate was organized and ready to transact business appeared at the Bar of the Senate and Senator McKnight for the Committee notified the President and the Members of the Senate that the Committee had performed the duty assigned it.

The Committee was discharged.

GOVERNOR NOTIFIED

The Committee to notify the Governor that the Senate was organized and ready to transact business appeared at the Bar of the Senate and Senator Wolff for the Committee notified the President and the Members of the Senate that the Committee had performed the duty assigned it.

The Committee was discharged.

SENATE NOTIFIED

A committee from the House appeared at the Bar of the Senate and Representative Craddock for the committee announced that the House of Representatives was organized and ready to transact business.

SENATE BILL ON FIRST READING

The following bill was introduced, read first time and filed with the Secretary of the Senate:

By Senator Wolff:

S.B. 1, A bill to be entitled An Act relating to the establishment of temporary speed limits on highways in the state under certain circumstances; adding Section 169B to the Uniform Act Regulating Traffic on Highways, as amended (Article 6701d, Vernon's Texas Civil Statutes); and declaring an emergency.

To Committee of The Whole Senate.

MOTION TO RECESS

Senator Aikin moved that the Senate take recess at the conclusion of the Joint Session until 2:30 o'clock p.m. today.

JOINT SESSION

(To hear address of Governor Dolph Briscoe)

The President of the Senate and the Senators present escorted by the Sergeant-at-Arms and the Secretary of the Senate proceeded to the Hall of the House of Representatives at 12:30 o'clock p.m. to hear the address of The Honorable Dolph Briscoe, Governor of Texas, pursuant to the provisions of S.C.R. 1.

On invitation of the Speaker, the President occupied a seat on the Speaker's Rostrum.

The Senators were announced and were admitted and escorted to seats prepared for them along the aisle.

The Honorable Dolph Briscoe, Governor of the State of Texas was announced by the Doorkeeper of the House.

The Governor's party was escorted to the Speaker's Rostrum by Senators Doggett, Jones, McKnight, Meier and Snelson on the part of the Senate, and Representatives Earle, Harris, Howard, Leland, Maloney, Sanchez, Schieffer, Semos, Williamson and Wyatt on the part of the House.

The President called the Senate to order and announced a quorum of the Senate present.

The Honorable Price Daniel, Speaker of the House of Representatives, called the House to order, stated the purpose of the Joint Session and announced a quorum

of the House present.

The Speaker presented His Excellency, The Honorable Dolph Briscoe, Governor of the State of Texas, who addressed the Joint Session. (Full text of Governor's address may be found in House Journal of Tuesday, December 18, 1973.)

RECESS

At the conclusion of the Joint Session, the President stated the purpose of the Joint Session having been concluded, the Senate would at 12:55 o'clock p.m., take recess until 2:30 o'clock p.m. today, in accordance with a motion previously adopted by the Senate.

After Recess

The President called the Senate to order at 2:30 o'clock p.m. today.

MESSAGE FROM THE HOUSE

Hall of the House of Representatives
Austin, Texas, December 18, 1973

Honorable William P. Hobby, Jr.
President of the Senate

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S.C.R. 1, Providing that the two Houses meet in Joint Session at 12:30 o'clock p.m. in the Hall of the House on December 18, 1973, to hear the Governor's message.

Respectfully submitted,
Dorothy Hallman
Chief Clerk, House of Representatives

SENATE RESOLUTION 4

Senator McKnight offered the following resolution:

WHEREAS, Texas holds a unique position in the nationwide energy crisis, being the principal supplier of natural gas and petroleum for the rest of the nation, in that nearly two-thirds of the oil and natural gas produced in Texas is exported to other states and nearly 80 percent of total energy consumption in Texas is from natural gas and petroleum products and is therefore vitally affected by national energy policies, some of which have served actually to exacerbate the energy crisis, accelerate the depletion of our reserves, and provide economic barriers to exploration and development of our resources; and

WHEREAS, The history of federal government intervention in the market place is not such to inspire confidence in its ability to correct imbalances in supply and demand; and

WHEREAS, Most of this nation's greatest economic problems, such as the current energy shortage, are largely the result not of government inaction but of government interference in the working of what is still basically a free-market economy; and

WHEREAS, This is BAD government and bad government is usually the result of TOO MUCH government; and

WHEREAS, When Washington substitutes the wisdom of the bureaucracy for the exactitude of the marketplace, Washington itself deserves the blame when the bureaucracy guesses wrong, but the solution is not to create a bigger and better

bureaucracy to ration resources and manage prices; and

WHEREAS, This wrong guessing is exemplified in:

Speculative and often contradictory statements by Washington officials about fuel supplies causing, among other things, declining automobile sales in an industry employing directly or indirectly one out of six people in this country;

Automobile exhaust emission standards that are costing this country, according to various estimates, 300,000 to 600,000 barrels of crude oil a day--more than the total savings hoped for by banning outdoor lighting and Sunday gasoline sales and by imposing lower highway speed limits;

Shortages of fuel oil last winter and gasoline last summer as a direct result of distorting refinery price incentives through an artificial control mechanism;

Current shortages of diesel fuel for farmers and truckers resulting from allocation priorities for middle distillates;

Natural gas shortages directly resulting from artificially low prices controlled by the Federal Power Commission which, on the one hand, encourage substitution of this fuel for others such as coal, and on the other hand, provide no economic incentive for exploration and production;

Current shortages of tubular steel goods as a result of lifting price controls on other steel products; and

WHEREAS, State of Texas officials, including specifically members of the Texas Railroad Commission, since the 1950's have attempted to call official and public attention to the problem of exhaustible petroleum resources; and

WHEREAS, While conservation measures for all users of all forms of energy are necessary and desirable in present circumstances, over-reaction and short-term solutions which impose additional rigidities on our economy and resources will do irreparable harm; and

WHEREAS, To date in the current crisis, action taken by the federal government, other than continuation of an allocation system and price controls, has been limited to imposing Daylight Savings Time on the major part of the country and consideration of legislation currently pending in the Congress which would reduce highway speed limits and prohibit gasoline sales on Sunday, all of which is, at best, only marginally effective, and is directed largely at the transportation industry which, in all its varied forms, accounts for less than one-quarter of the total U.S. energy consumption; now, therefore, be it

RESOLVED by the Senate of the 63rd Legislature, First Called Session, That the Senate of the State of Texas hereby memorialize the Congress of the United States that constructive action by the federal government is needed to deal with both short- and long-range energy problems, including steps to:

Lift controls on oil and natural gas prices to provide more incentive for exploration and production, including production from presently-marginal wells and fields;

Restore the depletion allowance to its previous level of 27.5 per cent;

Eliminate price controls on production of tubular steel goods and other products necessary for the production of more oil and gas (supplies at any price being better than no supplies at all);

Eliminate unreasonable federal environmental constraints which have served to limit national refining capacity and have discouraged increased production of needed oil and gas supplies;

Temporarily suspend automobile exhaust emission controls to regain lost fuel efficiency, at least in broad areas of the country where health standards clearly and obviously will not be impaired;

Give highest priority to developing non-petroleum fuel sources (including nuclear energy) for generation of electricity, development of vast areas of oil-bearing shale, and extraction of oil and gas from coal;

Call on those states whose legislatures, regulatory agencies and environmentalists have effectively prevented off-shore drilling for oil and gas, construction of petrochemical plants, refineries and offshore terminals, to redirect their attention toward positive approaches to solution of the energy problem, such as exploration off the East and West Coasts, including the Santa Barbara Channel which contains oil reserves of hundreds of millions of barrels; and, be it further

RESOLVED, That copies of this Resolution be forwarded to each Senator and Representative in the Congress from Texas, with the request that this Resolution be officially entered in the Congressional Record as a Memorial to the Congress; and, be it further

RESOLVED, That copies of this Resolution also be sent to the presiding officers of the legislatures or assemblies of every state, territory, and protectorate of the United States of America.

The resolution was read.

Senator Schwartz offered the following amendment to the resolution:

Amend S.R. 4 by adding the following after the words 275 per cent on line 24 page 3 thereof:

"and further by eliminating the depletion allowance in its entirety on foreign production of oil and gas."

The amendment was read and was adopted.

Senator Schwartz raised the Point of Order that the resolution was not properly before the Senate, as it declared State policy and must be referred to a Committee.

The President sustained the Point of Order.

Senator McKnight then moved to suspend the regular order of business in order to consider S.R. 4 immediately.

The motion prevailed by the following vote: Yeas 20, Nays 10.

Yeas: Adams, Aikin, Andujar, Blanchard, Braecklein, Clower, Creighton, Harris, Hightower, Jones, Kothmann, McKnight, Meier, Mengden, Moore, Patman, Snelson, Traeger, Wallace and Wolff.

Nays: Brooks, Doggett, Gammage, Harrington, Longoria, Mauzy, McKinnon, Ogg, Schwartz and Sherman.

Absent-excused: Santiesteban.

The President then laid before the Senate S.R. 4.

(President Pro Tempore in Chair)

Senator Schwartz offered the following amendment to the resolution:

Amend S.R. 4 by substituting the words "The Honorable Ernest O. Thompson, Former Chairman" for the word "members" on line 24 of the printed resolution.

The amendment was read and was adopted.

RECORD OF VOTES

Senators Jones and Mengden asked to be recorded as voting "Nay" on the adoption of the amendment.

(President in Chair)

Question on adoption of the resolution as amended, "Yeas" and "Nays" were demanded.

The resolution as amended was adopted by the following vote: Yeas 22, Nays 8.

Yeas: Adams, Aikin, Andujar, Blanchard, Bracklein, Clower, Creighton, Harris, Hightower, Jones, Kothmann, McKnight, Meier, Mengden, Moore, Ogg, Patman, Sherman, Snelson, Traeger, Wallace and Wolff.

Nays: Brooks, Doggett, Gammage, Harrington, Longoria, Mauzy, McKinnon and Schwartz.

Absent-excused: Santiesteban.

REMARKS OF SENATOR PEYTON McKNIGHT ORDERED PRINTED IN SENATE JOURNAL

On motion of Senator Moore and by unanimous consent, the remarks of Senator McKnight concerning S.R. 4 were ordered printed in the Senate Journal.

REMARKS OF SENATOR PEYTON McKNIGHT

"The reason we are here today is to enact legislation setting speed laws on the highways of Texas to conform to the national policy.

"I have no particular objection to supporting a bill to reduce the speed limit in Texas or other such stop-gap measures during the energy crisis, because we do have an emergency. But when we do this we should understand clearly that we are treating the symptoms and not the disease -- and this country had better get down to the business of attacking the disease itself.

"For almost a decade the oil industry has been trying to get the message across to the nation that we don't have enough oil and gas reserves -- but the message has fallen on deaf ears. The blame for the energy shortage cannot be laid altogether at the doorsteps of the oil industry. There are some members of the Congress and some bureaucrats who still insist there is no energy crisis -- actually, these people would not know the difference between an oil derrick and a string of drill pipe -- but all of a sudden they are experts on energy -- overnight.

"For 20 years the oil industry, and those independent oil operators who often risk a considerable percentage of their total assets drilling for oil, have been the whipping boys in the Congress and the federal bureaucracy.

"The seeds for this crisis were sown in the 1950's when federal price-fixing of natural gas at the wellhead was authorized by the Supreme Court, and President Eisenhower vetoed a bill which would have corrected that disaster. The net result was greater demand for cheap gas, less incentive for producers to find more gas, and the emasculation of the coal industry.

"But some people never learn. They keep on making mistakes mainly because they let themselves be ruled by their emotions and their prejudice instead of common sense.

"First: They reduced the depletion allowance from 27.5 per cent to 22 per cent -- and there are some who have advocated reducing it to nothing. How many of the congressmen who voted for that bill would be willing to risk a million dollars to drill a well in search of oil?

"Secondly: They put a ceiling on the price of oil. In some wells in Texas some of the oil that comes out of a field brings \$4.00 per barrel -- while other oil from the same field can be sold for \$8.40 per barrel. What kind of economic theory can you present which would justify that? And it is all on account of government regulation.

"Thirdly: There is a government regulation which sets a ceiling on the price of oil field tubular goods. The mills stopped making oil field pipe because they could make other items at a greater profit. So what does the government do? It gives price relief to sheet steel, which is used to manufacture all sorts of energy consuming products, and refuses to give price relief to tubular steel which is used to find new

supplies of energy. Today in Texas there are a good many wells which have established production of oil or gas, but cannot be completed as producers -- in this time of energy crisis -- simply because there is no pipe available which is necessary to complete the well.

"Fourth: In the last 10 years the price of oil has increased very little, but the cost of labor, materials and other services required in the drilling of a well have all trebled. This fact, coupled with the reduced depletion allowance, has been responsible for reducing the number of independent oil operators in this nation from 36,000 in 1963 to 12,000 in 1973. Independent oil operators are the people who have found approximately 80 per cent of the oil. In 1930 a man 70 years of age risked every dime he had to drill for oil, and he discovered the great East Texas oil field. I ask you this -- where would we be today in this nation without the oil this field produces?

"Fifth: There are some states on the Eastern seaboard which do not permit construction of oil refineries and do not permit off-shore drilling in areas which might contain tremendous reserves of oil and gas. And today there hovers over them the threat of a cold winter without fuel -- so they want fuel from Texas oil and Texas refineries. Let them have it this winter -- but in the meantime let us hope they will speak in no uncertain terms to their own state governments and their representatives in the Congress of the United States.

"Sixth: The EPA -- The Environmental Protection Agency -- has emerged as an inhibitor of new energy sources just when we need them the most. We all know the importance of a cleaner environment -- but we cannot solve it all at once. We can't create heaven on earth in one generation, and we can't throw away our industrial might and the jobs of millions of people because of environmental controls that go too far, too fast.

"The difficulty is that the EPA people are interested in just one thing -- their thing. Energy doesn't mean anything to them. They can't see beyond the horizon of environment. Apparently they would rather freeze to death in pure air for lack of fuel than suffocate from polluted air. The point is that they put environment over and above energy or anything else -- with no real attempt to strike a balance -- and they have by their restrictions slowed the search for oil to a snail's pace. Look what they have done on developing construction of the Alaskan pipeline.

"Surely a generation of people who have the ability to put a man on the moon can evidence the good judgment of working together to solve the energy crisis. To me it would make sense if the people who have been in the business of finding and producing oil and gas would get together and come up with a plan to find and develop more fossil fuel. These people know more about this business than all the so-called experts in government; because they have been in the business for years -- these are energy people -- fossil energy people -- and fossil energy is what we must have for the immediate future. If they come up with a plan perhaps the national government would buy it in view of the pressures that will be brought on people in politics over this issue.

"Of course, no matter how much sense this makes, some politicians would rather hunt headlines rather than find solutions. Most of you saw Senator Kennedy's statement opposing bringing oil industry experts into the government to work on the problem. When you have a fire, he said, you don't ask the firebug to put it out. Well, that's all very cute -- but I think it's high time our alleged leaders in Washington stopped playing politics with a national crisis and mobilized the best minds in this country to deal with it.

"There are many other sources of energy, but it will take years and billions of dollars to develop them. In the meantime we have to depend on fossil fuel -- and who knows what will happen about oil from the Arab countries?

"The Middle East crisis has taught this country that it cannot rely on Arab oil for its fuel. We must develop our own sources of energy.

"This nation is tired of living in the squalor of Watergate:

--- tired of charges and counter-charges

--- tired of investigation after investigation

--- tired of national TV finding fault with everything

about this country.

"The American people are tired of traveling the negative road -- they are ready -- especially in times of crisis -- to take the positive road -- to meet head-on the challenges of the crisis which confronts us today.

"Perhaps the energy crisis is a blessing in disguise. It has called to our attention our wastefulness. It has pointed up our short-sightedness. We need a few doses of adversity along the way to keep our perspective and prevent us from getting soft.

"We have had Phase I to Phase IV and all the others to try to slow the economy -- all of which have been to no avail. We have been in a period of spiraling inflation. Maybe the energy crisis will do what government edict could not do. Perhaps the law of supply and demand is now making itself known.

"We have been moving too fast in many areas of human society. It just could be that this slow-down because of lack of fuel is good for all of us. There are some who are about ready to panic.

"To them I would say:

"If the founders of this Nation could withstand the invasion of a vastly superior army in the Revolutionary War, and still win independence;

"If this Nation could survive a day when good people thought it was acceptable in the sight of God to sell human beings from the auction block and separate families forever;

"If it could heal the wounds of a civil war and become a united people;

"If it could twice defeat the mightiest totalitarian war machines dictators could put together;

"If it could survive a great depression;

"If it could survive the divisiveness of Korea and Viet Nam;

"If our Country could do all of this, who are we to appear weak and helpless in the face of far lesser problems?

"But our problem today is to do something about the energy crisis.

"I suggest this:

"The only medicine which can cure the disease is for the Federal Government to remove the shackles and turn the oil industry loose to answer only to the law of supply and demand.

"By so doing we shall discover more reserves -- more oil and more gas which will fuel this nation.

"Some will say: 'But it will cost more.' But have you compared the cost of any other commodity 10 years ago and what it costs today?

"It's time to put aside our own selfish desires. Put America first -- once again."

RESOLUTION SIGNED

The President announced the signing in the presence of the Senate after the caption had been read, the following enrolled resolution:

S.C.R. 1

COMMITTEE OF THE WHOLE SENATE

Senator Wallace asked unanimous consent that Senate Rule 103 be suspended in order that the Senate might resolve itself into a Committee of the Whole Senate for the purpose of considering S.B. 1.

There was objection.

Senator Wallace then moved that Senate Rule 103 be suspended in order that the Senate might resolve itself into a Committee of the Whole Senate for the purpose of considering S.B. 1.

The motion prevailed by the following vote: Yeas 27, Nays 3.

Yeas: Adams, Aikin, Andujar, Blanchard, Braecklein, Clower, Creighton, Doggett, Harrington, Harris, Hightower, Jones, Kothmann, Longoria, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Schwartz, Sherman, Snelson, Traeger, Wallace and Wolff.

Nays: Brooks, Gammage and Mauzy.

Absent-excused: Santiesteban.

SUBCOMMITTEE ON NOMINATIONS GRANTED PERMISSION TO MEET WHILE SENATE IN SESSION

On motion of Senator McKinnon and by unanimous consent, the Subcommittee on Nominations was granted permission to meet while the Senate was in Session.

On motion of Senator Aikin, the Senate resolved itself into a Committee of the Whole Senate at 3:45 o'clock p.m.

RECORD OF VOTE

Senator Mauzy asked to be recorded as voting "Nay" on the motion for a Committee of the Whole Senate.

The President appointed Senator Wallace to serve as Chairman of the Committee of the Whole.

IN LEGISLATIVE SESSION

The President called the Senate to order as In Legislative Session at 7:40 o'clock p.m. today.

REPORT OF STANDING COMMITTEE

Senator Wallace submitted the following report for the Committee of the Whole Senate:

S.B. 1 (Amended)

SENATE BILL 1 ON SECOND READING

Senator Wolff moved that Senate Rules 12, 68 and 74 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S.B. 1 be placed on its second reading and passage to engrossment and on its third reading and final passage.

The motion prevailed by the following vote: Yeas 24, Nays 6.

Yeas: Adams, Aikin, Andujar, Blanchard, Braecklein, Brooks, Creighton, Doggett, Harrington, Harris, Hightower, Kothmann, Longoria, McKinnon, McKnight, Meier, Moore, Patman, Schwartz, Sherman, Snelson, Traeger, Wallace and Wolff.

Nays: Clower, Gammage, Jones, Mauzy, Mengden and Ogg.

Absent-excused: Santiesteban.

The President then laid before the Senate on its second reading and passage to engrossment the following bill:

S.B. 1, A bill to be entitled An Act relating to the establishment of temporary speed limits on highways in the state under certain circumstances; etc., and declaring an emergency.

The bill was read second time.

Senator Wolff offered the following Committee Amendment to the bill:

Amend S.B. 1 by striking the language at Section 169B Subsection (b) at page 2 line 2 and substituting therefor the following:

"(b) An order issued under Subsection (a) of this Section is justified if the Commission finds the following facts exist, which must be stated in the order:

(1) That a severe shortage of motor fuel or other petroleum product exists; and

(2) That the shortage was caused by war, national emergency or other circumstances; and

(3) That a reduction of speed limits will serve to foster conservation purposes and safety; or

(4) The failure to alter state speed limits will prevent the state from receiving revenue for highway purposes from the federal government,"

and by adding at line 14 page 2 a "(3)" and deleting the word "or" between (1) and (2), and adding "or (4)".

The Committee Amendment was read and was adopted.

Senator Wolff offered the following Committee Amendment to the bill:

Amend S.B. 1 by adding the following Section to be inserted as the last section preceding the emergency clause:

"Sec. --- If any provision of this Act or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are declared to be severable."

The Committee Amendment was read and was adopted.

Senator Wolff offered the following Committee Amendment to the bill:

Amend S.B. 1 by adding a new subsection (g) to read as follows:

"(g) any change in speed limits under this section shall be effective for a maximum of 90 days."

and renumbering the following sections.

The Committee Amendment was read and was adopted.

Senator Clower offered the following amendment to the bill:

Amend S.B. 1, Section 1, by adding a new Subsection (c) and renumbering the following sections:

"(c) Unless a specific speed limit is required by federal law or directive under threat of loss of federal highway funds then the State Highway Commission may not set maximum speed limits under this Section of all vehicles below 60 M.P.H."

The amendment was read and was adopted.

**VOTE BY WHICH COMMITTEE AMENDMENT
NO. 2 WAS ADOPTED RECONSIDERED**

On motion of Senator Hightower and by unanimous consent, the vote by which Committee Amendment No. 2 was adopted was reconsidered.

Question, Shall Committee Amendment No. 2 be adopted?

Senator Hightower offered the following amendment to the Committee Amendment to the bill:

Amend Committee Amendment No. 2 by deleting "90 days" and substituting therefor the following:

"120 days, unless the Commission makes a finding that the conditions specified under Sec. 169B, Subsection (b) continue to exist. If such conditions are found to still exist such limits may be continued in effect for additional 120 day periods."

The amendment to the Committee Amendment was read and was adopted.

The Committee Amendment as amended was again adopted.

On motion of Senator Wolff and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment by the following vote: Yeas 20, Nays 10.

Yeas: Adams, Andujar, Braecklein, Brooks, Creighton, Doggett, Harrington, Hightower, Kothmann, Longoria, McKinnon, McKnight, Meier, Moore, Schwartz, Sherman, Snelson, Traeger, Wallace and Wolff.

Nays: Aikin, Blanchard, Clower, Gammage, Harris, Jones, Mauzy, Mengden, Ogg and Patman.

Absent-excused: Santiesteban.

SENATE BILL 1 ON THIRD READING

The Constitutional Rule requiring bills to be read on three several days having been suspended the President laid S.B. 1 before the Senate on its third reading and final passage.

The bill was read the third time and was passed by the following vote: Yeas 20, Nays 10.

Yeas: Adams, Andujar, Braecklein, Brooks, Creighton, Doggett, Harrington, Hightower, Kothmann, Longoria, McKinnon, McKnight, Meier, Moore, Schwartz, Sherman, Snelson, Traeger, Wallace and Wolff.

Nays: Aikin, Blanchard, Clower, Gammage, Harris, Jones, Mauzy, Mengden, Ogg and Patman.

Absent-excused: Santiesteban.

REASON FOR VOTE

I voted against S.B. 1 not because of the reduction of the speed limit, but because the bill gave additional powers to a regulatory agency which were unneeded

and unnecessary to comply with federal regulations. I would have voted for this type legislation to keep from losing Federal Highway funds.

This type legislation is a further relinquishment of legislative prerogative and authority and a transfer of additional power to the executive branch of government and a corresponding increase of control to the bureaucracy which was totally uncalled for and not needed to accomplish the purpose of complying with federal law to keep from losing highway funds.

MENGDEN

SENATE CONCURRENT RESOLUTION 2 ON SECOND READING

The President laid before the Senate the following resolution:

S.C.R. 2, Providing for sine die adjournment of the First Called Session of the 63rd Legislature at 12 o'clock m. on December 20, 1973.

The resolution was read.

On motion of Senator Moore and by unanimous consent, the resolution was considered immediately and was adopted.

RECORD OF VOTE

Senator Clower asked to be recorded as voting "Nay" on the resolution.

SENATE RESOLUTION 9

Senator Ogg offered the following resolution:

WHEREAS, Steven C. Oaks, at the end of this month, December, 1973, will leave his position as Executive Assistant to Lieutenant Governor Bill Hobby and return to his law practice; and

WHEREAS, Steve Oaks has worked closely with each member of the 63rd Texas Senate and with the staff of the Senate during the past year and has received the respect and affection of all; and

WHEREAS, He has generously been given, by the members of the Senate, the full credit for putting the law back in "law and order", through the reinstatement of capital punishment, the honest back in "honest government", through the adoption of a commission-less ethics bill, and fun back in "fun and games", through allowing Texas citizens to possess four ounces or less of marijuana without having to spend lengthy sabbaticals with the Texas Department of Corrections; and

WHEREAS, He is the first known survivor of the West Lake Hills-to-Capitol-Snow-and-Ice-Walkathon, demonstrating his dedication to the people as well as his total lack of good sense; and

WHEREAS, Steve has been blessed by the patience and understanding of his lovely wife, Susie, and his daughters, Elizabeth and Mary, who were last heard saying, "Steve Who?"; and

WHEREAS, The State Capitol Building will never look the same without Teen Angel parked in the Lieutenant Governor's parking space; and

WHEREAS, Steve demonstrated his dedication to his job by his punctuality in keeping appointments, by the slow and deliberate and clear manner in which he expressed his thoughts to those who worked with him, by treating big and small with the same calculated indifference, and by wondering at the number of high schools, "H.S.'s" that the Lieutenant Governor was able to fit into his schedule; and

WHEREAS, He honored the environment by bringing the outdoors in, all the way into his office in fact, for, after all, who isn't perfectly accustomed to discussing matters of state in the midst of a wooden-duck-decoy-filled jungle; and

WHEREAS, Steve's wit and warmth and wisdom will be missed in his absence

and his visits are now commanded to be frequent; now, therefore be it

RESOLVED, That the Senate of the 63rd Texas Legislature, meeting in Called Session, extend its grateful appreciation to Steve Oaks and his family and give them its sincere best wishes for continued success and fulfillment in the years ahead; and, be it further

RESOLVED, That copies of this resolution be prepared under the Seal of the Texas Senate for Steve and Susie Oaks in token of recognition by the 63rd Texas Senate of all their sacrifices and contributions.

The resolution was read.

On motion of Senator Hightower and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Ogg, the resolution was adopted.

REPORTS OF STANDING COMMITTEE

Senator McKinnon submitted the following reports for the Subcommittee on Nominations:

Morgan Jones, Jr.
John E. Mangrum, to be Members of the Board of Trustees of the Teacher Retirement System.
Don Gray
W. T. Crouch
Dr. Michael E. DeBakey
Roff W. Hardy
William L. Jones, Jr.
Elwood E. Collins, to be Members of the Advisory Council for Technical-Vocational Education in Texas.

NOMINEES CONFIRMED

Senator McKinnon moved to suspend Senate Rule 37 requiring twenty-four hours notice of an Executive Session of the Senate.

There was no objection.

Senator Blanchard then moved that Senate Rule 41 be suspended in order to consider nominations scheduled for today in open session.

The motion prevailed.

Senator McKinnon moved to confirm the following nominees:

Morgan Jones, Jr.
John E. Mangrum, to be Members of the Board of Trustees of the Teacher Retirement System.
Don Gray
W. T. Crouch
Dr. Michael E. DeBakey
Roff W. Hardy
William L. Jones, Jr.
Elwood E. Collins, to be Members of the Advisory Council for Technical-Vocational Education in Texas.

The nominees were confirmed by the following vote: Yeas 30, Nays 0.

Yeas: Adams, Aikin, Andujar, Blanchard, Braecklein, Brooks, Clower,

Creighton, Doggett, Gammage, Harrington, Harris, Hightower, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Schwartz, Sherman, Snelson, Traeger, Wallace and Wolff.

Absent-excused: Santiesteban.

SENATE RESOLUTION 10

Senator Clower offered the following resolution:

WHEREAS, Throughout the history of this nation, the United States of America has faced and overcome crises of war, economic disaster, and political upheavals; and

WHEREAS, Currently, the people of this country are dedicating themselves to an all-out effort in solving the energy crisis, and it is imperative that the Congress of the United States take positive action by enacting legislation which will assure for the nation the energy resources necessary to alleviate the present situation, looking to a time in the not-too-distant future when energy reserves will be sufficient to meet foreseeable needs; and

WHEREAS, The State of Texas has long been willing and ready to share its natural gas and oil reserves with sister states not so generously endowed, but Texas resources are fast nearing a stage of depletion and it is in the interest of Texas citizens as well as those of the entire United States that affirmative steps be instituted by the Congress to meet the energy needs of this nation without further delay; now, therefore, be it

RESOLVED by the Senate of the 63rd Legislature, 1st Called Session, That the Senate of the State of Texas hereby memorialize the Congress of the United States to enact legislation to relieve the energy crisis by

(1) removing the ceiling price on natural gas at the wellhead on all gas from new sources brought into production after January 1, 1974;

(2) increasing the oil depletion allowance in such a way that the increased capital in the hands of the oil companies be earmarked only for exploration, recovering marginally productive areas, or for research into new energy sources such as oil shale, solar, geothermal, or liquefied and gasified lignite;

(3) encouraging the reconversion of existing power facilities that burn fuel oil and/or natural gas to coal, providing that environmental controls are sufficient to maintain an acceptable air quality level;

(4) directing the Environmental Protection Agency to draw up a plan for the temporary selective removal of gas- and power-robbing pollution control devices from automobiles and trucks, provided that the removal of such devices be permitted only in those areas where the air standards are above the minimally acceptable levels established by the EPA;

(5) imposing an embargo on the export of crude oil, refined oil products, or natural gas until such time as the normal flow of these products is reestablished in the world market;

(6) imposing an embargo on the export of rolled steel products until such time as manufactured goods of rolled steel are in sufficient supply to meet the demand created by increased exploration and development in the petroleum industry; and

(7) removing the price ceiling on rolled steel products; and, be it further

RESOLVED, That the Senate of the State of Texas also request the Congress to consider a selective embargo to apply to all countries now participating in a petroleum embargo in this country, such embargo to include, but not be restricted to, manufactured goods, especially those related directly to the production or consumption of petroleum, foodstuffs, and other similar items; and, be it further

RESOLVED, That copies of this Resolution be forwarded to each Senator and Representative in the Congress from Texas, with the request that this Resolution be officially entered in the Congressional Record as a Memorial to the Congress; and, be it further

RESOLVED, That copies of this Resolution also be sent to the presiding officers of the legislatures or assemblies of every state, territory, and protectorate of

the United States of America.

The resolution was read.

Senator Mengden offered the following amendment to the resolution:

Amend Senate Resolution 10 by striking lines 1, 2, 3, 4, and 5 page 2 and substituting therefor "increasing the oil depletion allowance to stimulate exploration, recovering marginally productive areas, and for research into new energy sources, such as oil shale, solar, geothermal, or liquefied and gasified lignite;"

The amendment was read and was adopted.

Senator Schwartz offered the following amendment to the resolution:

Amend S.R. 10 by adding a new paragraph as follows:

"(3) by removing the depletion allowance on all foreign oil and gas exploration and production"

and renumbering the paragraphs which follow.

The amendment was read and was adopted.

The resolution as amended was then adopted.

RECORD OF VOTE

Senators Doggett and Mauzy asked to be recorded as voting "Nay" on the adoption of the resolution.

MEMORIAL RESOLUTIONS

S.R. 5 - By Senators Brooks and Jones: Memorial resolution for Judge John Luther Patterson.

S.R. 6 - By Senators Brooks, Gammage and Wallace: Memorial resolution for Isaac Arnold.

S.R. 7 - By Senator Adams: Memorial resolution for James Alfred Smith.

S.R. 8 - By Senator Ogg: Memorial resolution for Bill Enis.

S.R. 11 - By Senator Ogg: Memorial resolution for Mrs. Ruth Oaks.

S.R. 12 - By Senator Ogg: Memorial resolution for R. E. (Bob) Smith.

S.R. 13 - By Senators Ogg and Brooks: Memorial resolution for Honorable Wright Morrow.

S.R. 14 - By Senators Ogg and Brooks: Memorial resolution for Mrs. Hazel Annette Bell.

S.R. 15 - By Senator Jones: Memorial resolution for Joseph Franklin Deats, Jr.

S.R. 16 - By Senator Schwartz: Memorial resolution for Mrs. Louella Zimmerman Bergman.

RECESS

On motion of Senator Aikin the Senate at 8:32 o'clock p.m. took recess until 2:00 o'clock p.m. tomorrow.

FIRST DAY

(Continued)

(Wednesday, December 19, 1973)

After Recess

The Senate met at 2:00 o'clock p.m., and was called to order by the President.

Senator Santiesteban, who was "Absent-excused" on yesterday, was registered as "Present" today.

CONGRATULATORY RESOLUTIONS

S.R. 17 - By Senator Adams: Extending congratulations to M. Steele Wright, Jr.

S.R. 18 - By Senator Adams: Extending congratulations to The McGraw-Edison Company.

S.R. 19 - By Senator Adams: Extending congratulations to Oil States Rubber Company.

S.R. 20 - By Senator Aikin: Designating January 12 as Robert E. West Day in Honey Grove.

S.R. 21 - By Senator Aikin: Extending commendation to Miller Barber.

RECESS

On motion of Senator Aikin the Senate at 2:10 o'clock p.m. took recess until 9:00 o'clock a.m. tomorrow.

FIRST DAY

(Continued)

(Thursday, December 20, 1973)

After Recess

The Senate met at 9:00 o'clock a.m., and was called to order by the President.